

BLAKELY SOKOLOFF TAYLOR & ZAFMAN

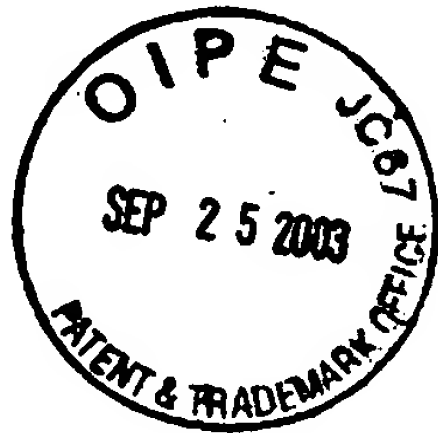
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September 22, 2003

MS PG Pub
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Via Express Mail
EV 335 418 555 US

Re: USSN: 09/835,704 Filed: 16 April 2001
Applicant: Redback Networks Inc.
Title: METHOD AND APPARATUS FOR DEFRAMING SIGNALS
*Transmittal of Request to Rescind Previous Nonpublication Request
Under 35 USC 122(b)(2)(B)(ii) and Notification of Foreign Filing
Under 35 USC 122(b)(2)(B)(iii)*
Our File No.: 4906.P074

Dear Sirs:

The above-identified application has the same specification (but different claims) as a U.S. Patent Application that was filed under the Patent Cooperation Treaty more than 45 days ago. A Request and Certification under 35 USC 122(b)(2)(B)(i) has been submitted for the above-identified application. Since the rule seems ambiguous as to whether a Request to Rescind is necessary in this situation, we herewith submit a Petition for Revival of an Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing (37 CFR 1.137(f)), a Submission of Petition for Revival, a Request to Rescind Previous Nonpublication Request under 35 USC 122(b)(2)(B)(ii) and a Notification of Foreign Filing under 35 USC 122(b)(2)(B)(iii).

Respectfully submitted,

Blakely, Sokoloff, Taylor & Zafman LLP

Daniel M. DeVos
Reg. No. 37,813

DMD/jw
Enclosures

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#10

**RESCISSION OF PREVIOUS
NONPUBLICATION REQUEST****35 U.S.C. 122(b)(2)(B)(ii)****AND, IF APPLICABLE,****NOTICE OF FOREIGN FILING****(35 U.S.C. 122(b)(2)(B)(iii))**

Send completed form to:

Mail Stop PG Pub

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 305-8568

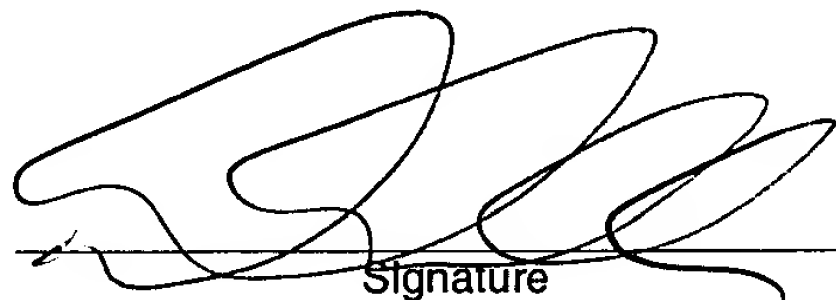
Application Number	09/835,704
Filing Date	04/16/2001
First Named Inventor	Michael McClary
Title	Method and Apparatus for Deframing Signals
Atty Docket Number	4906P074
Group Art Unit	2176
Examiner	

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby **rescind** the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122 (b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent filing or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

9/22/03
Date


Signature

Daniel M. DeVos, Reg. No. 37,813

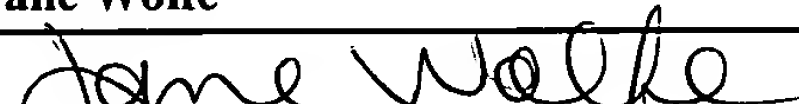
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703) 605-4283 or by e-mail at PGPub@USPTO.gov.

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or printed name	Jane Wolfe		
Signature		Date	9-22-03

Based on PTO/SB/36 (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 08/11/2003.
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DAE
\$

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 1,300.00

Complete if Known

Application Number 09/835,704
Filing Date April 16, 2001
First Named Inventor Michael McClary
Examiner Name
Group/Art Unit 2176
Attorney Docket No. 4906P074

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES

Total Claims 20** = X =
Independent Claims 3 = X =
Multiple Dependent =

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple Dependent claim, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater, For Reissues, see below

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1404	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	1,300.00
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,300.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Daniel M. DeVos Registration No. (Attorney/Agent) 37,813 Telephone (408) 720-8300
Signature Date 9/22/03

Based on PTO/SB/17 (08-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 08/11/2003.
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